



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5841

Introduced 11/10/2020, by Rep. La Shawn K. Ford

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Illinois Police Training Act is applicable to the training, certification, licensing, decertification, and revocation of licenses of State Police officers one year after the effective date of the amendatory Act. Amends the Illinois Police Training Act. Requires full-time and part-time police officers to be licensed rather than certified beginning one year after the effective date of the amendatory Act. Amends the Illinois Municipal Code. Provides that the chief of police in municipalities with a population of 1,000,000 or more shall be elected beginning with the 2021 consolidated election and shall be known as the Superintendent of Police. Provides for the eligibility, bond, oath, recall, impeachment, and training required of the Superintendent of Police. Limits home rule powers. Requires, after the initial election of the Superintendent of Police, all police officers to give bond in the amount of \$100,000. Repeals the provisions, except the bond and recall provisions, on January 1, 2031. Amends the Counties Code and Illinois Municipal Code requiring municipalities with police departments and counties to create an elected community accountability board that acts as the civilian accountability entity to the sheriff's department and police departments. Allows municipalities or counties under 10,000 to enter into an intergovernmental agreement to form a joint community accountability board. Limits home rule powers. Amends the Election Code making a conforming change. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately, except that specified provisions are effective one year after the amendatory Act becomes law.

LRB101 22006 AWJ 73023 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning police.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Law Enforcement Criminal Sexual Assault  
5 Investigation Act is amended by changing Section 10 as follows:

6 (5 ILCS 815/10)

7 Sec. 10. Investigation of officer-involved criminal  
8 assault; requirements.

9 (a) Each law enforcement agency shall have a written policy  
10 regarding the investigation of officer-involved criminal  
11 sexual assault that involves a law enforcement officer employed  
12 by that law enforcement agency.

13 (b) Each officer-involved criminal sexual assault  
14 investigation shall be conducted by at least 2 investigators or  
15 an entity comprised of at least 2 investigators, one of whom  
16 shall be the lead investigator. The investigators shall have  
17 completed a specialized sexual assault and sexual abuse  
18 investigation training program approved by the Illinois Law  
19 Enforcement Training Standards Board ~~or similar training~~  
20 ~~approved by the Department of State Police~~. No investigator  
21 involved in the investigation may be employed by the law  
22 enforcement agency that employs the officer involved in the  
23 officer-involved criminal sexual assault, unless the

1 investigator is employed by the Department of State Police or a  
2 municipality with a population over 1,000,000 and is not  
3 assigned to the same division or unit as the officer involved  
4 in the criminal sexual assault.

5 (c) Upon receipt of an allegation or complaint of an  
6 officer-involved criminal sexual assault, a municipality with  
7 a population over 1,000,000 shall promptly notify an  
8 independent agency, created by ordinance of the municipality,  
9 tasked with investigating incidents of police misconduct.

10 (Source: P.A. 100-515, eff. 1-1-18.)

11 Section 10. The Election Code is amended by changing  
12 Section 2A-1.2 as follows:

13 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

14 Sec. 2A-1.2. Consolidated schedule of elections - offices  
15 designated.

16 (a) At the general election in the appropriate  
17 even-numbered years, the following offices shall be filled or  
18 shall be on the ballot as otherwise required by this Code:

19 (1) Elector of President and Vice President of the  
20 United States;

21 (2) United States Senator and United States  
22 Representative;

23 (3) State Executive Branch elected officers;

24 (4) State Senator and State Representative;

1           (5) County elected officers, including State's  
2 Attorney, County Board member, County Commissioners, and  
3 elected President of the County Board or County Chief  
4 Executive;

5           (6) Circuit Court Clerk;

6           (7) Regional Superintendent of Schools, except in  
7 counties or educational service regions in which that  
8 office has been abolished;

9           (8) Judges of the Supreme, Appellate and Circuit  
10 Courts, on the question of retention, to fill vacancies and  
11 newly created judicial offices;

12          (9) (Blank);

13          (10) Trustee of the Metropolitan Water Reclamation  
14 ~~Sanitary~~ District of Greater Chicago, and elected Trustee  
15 of other Sanitary Districts;

16          (11) Special District elected officers, not otherwise  
17 designated in this Section, where the statute creating or  
18 authorizing the creation of the district requires an annual  
19 election and permits or requires election of candidates of  
20 political parties.

21       (b) At the general primary election:

22           (1) in each even-numbered year candidates of political  
23 parties shall be nominated for those offices to be filled  
24 at the general election in that year, except where pursuant  
25 to law nomination of candidates of political parties is  
26 made by caucus.

1           (2) in the appropriate even-numbered years the  
2 political party offices of State central committeeperson,  
3 township committeeperson, ward committeeperson, and  
4 precinct committeeperson shall be filled and delegates and  
5 alternate delegates to the National nominating conventions  
6 shall be elected as may be required pursuant to this Code.  
7 In the even-numbered years in which a Presidential election  
8 is to be held, candidates in the Presidential preference  
9 primary shall also be on the ballot.

10           (3) in each even-numbered year, where the municipality  
11 has provided for annual elections to elect municipal  
12 officers pursuant to Section 6(f) or Section 7 of Article  
13 VII of the Constitution, pursuant to the Illinois Municipal  
14 Code or pursuant to the municipal charter, the offices of  
15 such municipal officers shall be filled at an election held  
16 on the date of the general primary election, provided that  
17 the municipal election shall be a nonpartisan election  
18 where required by the Illinois Municipal Code. For partisan  
19 municipal elections in even-numbered years, a primary to  
20 nominate candidates for municipal office to be elected at  
21 the general primary election shall be held on the Tuesday 6  
22 weeks preceding that election.

23           (4) in each school district which has adopted the  
24 provisions of Article 33 of the School Code, successors to  
25 the members of the board of education whose terms expire in  
26 the year in which the general primary is held shall be

1           elected.

2           (c) At the consolidated election in the appropriate  
3 odd-numbered years, the following offices shall be filled:

4           (1) Municipal officers, provided that in  
5 municipalities in which candidates for alderman or other  
6 municipal office are not permitted by law to be candidates  
7 of political parties, the runoff election where required by  
8 law, or the nonpartisan election where required by law,  
9 shall be held on the date of the consolidated election; and  
10 provided further, in the case of municipal officers  
11 provided for by an ordinance providing the form of  
12 government of the municipality pursuant to Section 7 of  
13 Article VII of the Constitution, such offices shall be  
14 filled by election or by runoff election as may be provided  
15 by such ordinance;

16           (2) Village and incorporated town library directors;

17           (3) City boards of stadium commissioners;

18           (4) Commissioners of park districts;

19           (5) Trustees of public library districts;

20           (6) Special District elected officers, not otherwise  
21 designated in this Section, where the statute creating or  
22 authorizing the creation of the district permits or  
23 requires election of candidates of political parties;

24           (7) Township officers, including township park  
25 commissioners, township library directors, and boards of  
26 managers of community buildings, and Multi-Township

1 Assessors;

2 (8) Highway commissioners and road district clerks;

3 (9) Members of school boards in school districts which  
4 adopt Article 33 of the School Code;

5 (10) The directors and chair of the Chain O Lakes - Fox  
6 River Waterway Management Agency;

7 (11) Forest preserve district commissioners elected  
8 under Section 3.5 of the Downstate Forest Preserve District  
9 Act;

10 (12) Elected members of school boards, school  
11 trustees, directors of boards of school directors,  
12 trustees of county boards of school trustees (except in  
13 counties or educational service regions having a  
14 population of 2,000,000 or more inhabitants) and members of  
15 boards of school inspectors, except school boards in school  
16 districts that adopt Article 33 of the School Code;

17 (13) Members of Community College district boards;

18 (14) Trustees of Fire Protection Districts;

19 (15) Commissioners of the Springfield Metropolitan  
20 Exposition and Auditorium Authority;

21 (16) Elected Trustees of Tuberculosis Sanitarium  
22 Districts;

23 (17) Elected Officers of special districts not  
24 otherwise designated in this Section for which the law  
25 governing those districts does not permit candidates of  
26 political parties.

1           (18) County and municipal community accountability  
2           board members.

3           (d) At the consolidated primary election in each  
4 odd-numbered year, candidates of political parties shall be  
5 nominated for those offices to be filled at the consolidated  
6 election in that year, except where pursuant to law nomination  
7 of candidates of political parties is made by caucus, and  
8 except those offices listed in paragraphs (12) through (17) of  
9 subsection (c).

10           At the consolidated primary election in the appropriate  
11 odd-numbered years, the mayor, clerk, treasurer, and aldermen  
12 shall be elected in municipalities in which candidates for  
13 mayor, clerk, treasurer, or alderman are not permitted by law  
14 to be candidates of political parties, subject to runoff  
15 elections to be held at the consolidated election as may be  
16 required by law, and municipal officers shall be nominated in a  
17 nonpartisan election in municipalities in which pursuant to law  
18 candidates for such office are not permitted to be candidates  
19 of political parties.

20           At the consolidated primary election in the appropriate  
21 odd-numbered years, municipal officers shall be nominated or  
22 elected, or elected subject to a runoff, as may be provided by  
23 an ordinance providing a form of government of the municipality  
24 pursuant to Section 7 of Article VII of the Constitution.

25           (e) (Blank).

26           (f) At any election established in Section 2A-1.1, public

1 questions may be submitted to voters pursuant to this Code and  
2 any special election otherwise required or authorized by law or  
3 by court order may be conducted pursuant to this Code.

4 Notwithstanding the regular dates for election of officers  
5 established in this Article, whenever a referendum is held for  
6 the establishment of a political subdivision whose officers are  
7 to be elected, the initial officers shall be elected at the  
8 election at which such referendum is held if otherwise so  
9 provided by law. In such cases, the election of the initial  
10 officers shall be subject to the referendum.

11 Notwithstanding the regular dates for election of  
12 officials established in this Article, any community college  
13 district which becomes effective by operation of law pursuant  
14 to Section 6-6.1 of the Public Community College Act, as now or  
15 hereafter amended, shall elect the initial district board  
16 members at the next regularly scheduled election following the  
17 effective date of the new district.

18 (g) At any election established in Section 2A-1.1, if in  
19 any precinct there are no offices or public questions required  
20 to be on the ballot under this Code then no election shall be  
21 held in the precinct on that date.

22 (h) There may be conducted a referendum in accordance with  
23 the provisions of Division 6-4 of the Counties Code.

24 (Source: P.A. 100-1027, eff. 1-1-19; revised 8-23-19.)

25 Section 15. The Department of State Police Law of the Civil

1 Administrative Code of Illinois is amended by changing Sections  
2 2605-5, 2605-54, 2605-85, 2605-90, 2605-96, 2605-97, and  
3 2605-98, and 2605-375 and by adding Section 2605-53.5 as  
4 follows:

5 (20 ILCS 2605/2605-5)

6 Sec. 2605-5. Definitions. In this Law:

7 "Board" means the Illinois Law Enforcement Training  
8 Standards Board.

9 "Department" means the Department of State Police.

10 "Director" means the Director of State Police.

11 "Missing endangered senior" means an individual 65 years of  
12 age or older or a person with Alzheimer's disease or related  
13 dementias who is reported missing to a law enforcement agency  
14 and is, or is believed to be:

15 (1) a temporary or permanent resident of Illinois;

16 (2) at a location that cannot be determined by an  
17 individual familiar with the missing individual; and

18 (3) incapable of returning to the individual's  
19 residence without assistance.

20 (Source: P.A. 96-442, eff. 1-1-10.)

21 (20 ILCS 2605/2605-53.5 new)

22 Sec. 2605-53.5. Applicability of the Illinois Police  
23 Training Act. The provisions of the Illinois Police Training  
24 Act are applicable to the training, certification, licensing,

1 decertification, and revocation of licenses of State Police  
2 officers.

3 (20 ILCS 2605/2605-54)

4 Sec. 2605-54. Training policy; persons arrested while  
5 under the influence of alcohol or drugs. The Board ~~Department~~  
6 shall adopt a policy and provide training to State Police  
7 officers concerning response and care for persons under the  
8 influence of alcohol or drugs. The policy shall be consistent  
9 with the Substance Use Disorder Act and shall provide guidance  
10 for the arrest of persons under the influence of alcohol or  
11 drugs, proper medical attention if warranted, and care and  
12 release of those persons from custody. The policy shall provide  
13 guidance concerning the release of persons arrested under the  
14 influence of alcohol or drugs who are under the age of 21 years  
15 of age which shall include, but not be limited to, language  
16 requiring the arresting officer to make a reasonable attempt to  
17 contact a responsible adult who is willing to take custody of  
18 the person who is under the influence of alcohol or drugs.

19 (Source: P.A. 100-537, eff. 6-1-18; 100-759, eff. 1-1-19.)

20 (20 ILCS 2605/2605-85)

21 Sec. 2605-85. Training; cultural diversity. The Board  
22 ~~Department~~ shall provide training and continuing education to  
23 State Police officers concerning cultural diversity, including  
24 sensitivity toward racial and ethnic differences. This

1 training and continuing education shall include, but not be  
2 limited to, an emphasis on the fact that the primary purpose of  
3 enforcement of the Illinois Vehicle Code is safety and equal  
4 and uniform enforcement under the law.

5 (Source: P.A. 93-209, eff. 7-18-03.)

6 (20 ILCS 2605/2605-90)

7 Sec. 2605-90. Training; death and homicide investigations.

8 The Board ~~Department~~ shall provide training in death and  
9 homicide investigation for State police officers. Only State  
10 police officers who successfully complete the training may be  
11 assigned as lead investigators in death and homicide  
12 investigations. Satisfactory completion of the training shall  
13 be evidenced by a certificate issued to the officer by the  
14 Department.

15 The Board ~~Director~~ shall develop a process for waiver  
16 applications for those officers whose prior training and  
17 experience as homicide investigators may qualify them for a  
18 waiver. The Board ~~Director~~ may issue a waiver at his or her  
19 discretion, based solely on the prior training and experience  
20 of an officer as a homicide investigator.

21 (Source: P.A. 96-1111, eff. 1-1-12; 97-553, eff. 1-1-12.)

22 (20 ILCS 2605/2605-96)

23 Sec. 2605-96. Training; Post-Traumatic Stress Disorder  
24 (PTSD). The Board ~~Department~~ shall conduct or approve a

1 training program in Post-Traumatic Stress Disorder (PTSD) for  
2 State police officers. The purpose of that training shall be to  
3 equip State police officers to identify the symptoms of PTSD  
4 and to respond appropriately to individuals exhibiting those  
5 symptoms.

6 (Source: P.A. 97-1040, eff. 1-1-13.)

7 (20 ILCS 2605/2605-97)

8 Sec. 2605-97. Training; opioid antagonists. The Board  
9 ~~Department~~ shall conduct or approve a training program for  
10 State police officers in the administration of opioid  
11 antagonists as defined in paragraph (1) of subsection (e) of  
12 Section 5-23 of the Substance Use Disorder Act that is in  
13 accordance with that Section. As used in this Section 2605-97,  
14 the term "State police officers" includes full-time or  
15 part-time State troopers, police officers, investigators, or  
16 any other employee of the Department exercising the powers of a  
17 peace officer.

18 (Source: P.A. 99-480, eff. 9-9-15; 100-759, eff. 1-1-19.)

19 (20 ILCS 2605/2605-98)

20 Sec. 2605-98. Training; sexual assault and sexual abuse.

21 (a) The Board ~~Department of State Police~~ shall conduct or  
22 approve training programs in trauma-informed responses and  
23 investigations of sexual assault and sexual abuse, which  
24 include, but is not limited to, the following:

- 1 (1) recognizing the symptoms of trauma;
- 2 (2) understanding the role trauma has played in a  
3 victim's life;
- 4 (3) responding to the needs and concerns of a victim;
- 5 (4) delivering services in a compassionate, sensitive,  
6 and nonjudgmental manner;
- 7 (5) interviewing techniques in accordance with the  
8 curriculum standards in subsection (f) of this Section;
- 9 (6) understanding cultural perceptions and common  
10 myths of sexual assault and sexual abuse; and
- 11 (7) report writing techniques in accordance with the  
12 curriculum standards in subsection (f) of this Section.

13 (b) This training must be presented in all full and  
14 part-time basic law enforcement academies on or before July 1,  
15 2018.

16 (c) The Board ~~Department~~ must present this training to all  
17 State police officers within 3 years after the effective date  
18 of this amendatory Act of the 99th General Assembly and must  
19 present in-service training on sexual assault and sexual abuse  
20 response and report writing training requirements every 3  
21 years.

22 (d) The Board ~~Department~~ must provide to all State police  
23 officers who conduct sexual assault and sexual abuse  
24 investigations, specialized training on sexual assault and  
25 sexual abuse investigations within 2 years after the effective  
26 date of this amendatory Act of the 99th General Assembly and

1 must present in-service training on sexual assault and sexual  
2 abuse investigations to these officers every 3 years.

3 (e) Instructors providing this training shall have  
4 successfully completed training on evidence-based,  
5 trauma-informed, victim-centered responses to cases of sexual  
6 assault and sexual abuse and have experience responding to  
7 sexual assault and sexual abuse cases.

8 (f) The Board ~~Department~~ shall adopt rules, in consultation  
9 with the Office of the Illinois Attorney General and the  
10 Illinois Law Enforcement Training Standards Board, to  
11 determine the specific training requirements for these  
12 courses, including, but not limited to, the following:

13 (1) evidence-based curriculum standards for report  
14 writing and immediate response to sexual assault and sexual  
15 abuse, including trauma-informed, victim-centered  
16 interview techniques, which have been demonstrated to  
17 minimize retraumatization, for all State police officers;  
18 and

19 (2) evidence-based curriculum standards for  
20 trauma-informed, victim-centered investigation and  
21 interviewing techniques, which have been demonstrated to  
22 minimize retraumatization, for cases of sexual assault and  
23 sexual abuse for all State Police officers who conduct  
24 sexual assault and sexual abuse investigations.

25 (Source: P.A. 99-801, eff. 1-1-17.)

1 (20 ILCS 2605/2605-375) (was 20 ILCS 2605/55a in part)  
2 Sec. 2605-375. Missing persons; Law Enforcement Agencies  
3 Data System (LEADS).

4 (a) To establish and maintain a statewide Law Enforcement  
5 Agencies Data System (LEADS) for the purpose of providing  
6 electronic access by authorized entities to criminal justice  
7 data repositories and effecting an immediate law enforcement  
8 response to reports of missing persons, including lost, missing  
9 or runaway minors, lost or missing individuals with  
10 developmental or intellectual disabilities, and missing  
11 endangered seniors. The Department shall implement an  
12 automatic data exchange system to compile, to maintain, and to  
13 make available to other law enforcement agencies for immediate  
14 dissemination data that can assist appropriate agencies in  
15 recovering missing persons and provide access by authorized  
16 entities to various data repositories available through LEADS  
17 for criminal justice and related purposes. To assist the  
18 Department in this effort, funds may be appropriated from the  
19 LEADS Maintenance Fund. Funds may be appropriated from the  
20 LEADS Maintenance Fund to the Department to finance any of its  
21 lawful purposes or functions in relation to defraying the  
22 expenses associated with establishing, maintaining, and  
23 supporting the issuance of electronic citations.

24 (b) In exercising its duties under this Section, the  
25 Department shall provide a uniform reporting format (LEADS) for  
26 the entry of pertinent information regarding the report of a

1 missing person into LEADS. The report must include all of the  
2 following:

3 (1) Relevant information obtained from the  
4 notification concerning the missing person, including all  
5 of the following:

6 (A) a physical description of the missing person;

7 (B) the date, time, and place that the missing  
8 person was last seen; and

9 (C) the missing person's address.

10 (2) Information gathered by a preliminary  
11 investigation, if one was made.

12 (3) A statement by the law enforcement officer in  
13 charge stating the officer's assessment of the case based  
14 on the evidence and information received.

15 (b-5) The Department of State Police shall:

16 (1) Develop and implement a policy whereby a statewide  
17 or regional alert would be used in situations relating to  
18 the disappearances of individuals, based on criteria and in  
19 a format established by the Department. Such a format shall  
20 include, but not be limited to, the age of the missing  
21 person and the suspected circumstance of the  
22 disappearance.

23 (2) Notify all law enforcement agencies that reports of  
24 missing persons shall be entered as soon as the minimum  
25 level of data specified by the Department is available to  
26 the reporting agency and that no waiting period for the

1 entry of the data exists.

2 (3) Compile and retain information regarding lost,  
3 abducted, missing, or runaway minors in a separate data  
4 file, in a manner that allows that information to be used  
5 by law enforcement and other agencies deemed appropriate by  
6 the Director, for investigative purposes. The information  
7 shall include the disposition of all reported lost,  
8 abducted, missing, or runaway minor cases.

9 (4) Compile and maintain an historic data repository  
10 relating to lost, abducted, missing, or runaway minors and  
11 other missing persons, including, but not limited to, lost  
12 or missing individuals with developmental or intellectual  
13 disabilities and missing endangered seniors, in order to  
14 develop and improve techniques utilized by law enforcement  
15 agencies when responding to reports of missing persons.

16 (5) Create a quality control program regarding  
17 confirmation of missing person data, timeliness of entries  
18 of missing person reports into LEADS, and performance  
19 audits of all entering agencies.

20 (c) The Illinois Law Enforcement Training Standards Board  
21 shall conduct a training program for law enforcement personnel  
22 of State and local governmental agencies in the Missing Persons  
23 Identification Act.

24 (d) The Department of State Police shall perform the duties  
25 prescribed in the Missing Persons Identification Act, subject  
26 to appropriation.

1 (Source: P.A. 100-662, eff. 1-1-19.)

2 Section 20. The State Police Act is amended by changing  
3 Sections 8, 40, and 45 as follows:

4 (20 ILCS 2610/8) (from Ch. 121, par. 307.8)

5 Sec. 8. Except as otherwise provided in the Illinois Police  
6 Training Act, the ~~The~~ Board shall exercise jurisdiction over  
7 the certification for appointment and promotion, and over the  
8 discipline, removal, demotion and suspension of Department of  
9 State Police officers. Pursuant to recognized merit principles  
10 of public employment, the Board shall formulate, adopt, and put  
11 into effect rules, regulations and procedures for its operation  
12 and the transaction of its business. The Board shall establish  
13 a classification of ranks of persons subject to its  
14 jurisdiction and shall set standards and qualifications for  
15 each rank. Each Department of State Police officer appointed by  
16 the Director shall be classified as a State Police officer as  
17 follows: trooper, sergeant, master sergeant, lieutenant,  
18 captain, major, or Special Agent. In case of a conflict between  
19 this Act and the Illinois Police Training Act, the provisions  
20 of the Illinois Police Training Act shall prevail.

21 (Source: P.A. 100-49, eff. 1-1-18.)

22 (20 ILCS 2610/40)

23 Sec. 40. Training; administration of epinephrine.

1 (a) This Section, along with Section 10.19 of the Illinois  
2 Police Training Act, may be referred to as the Annie LeGere  
3 Law.

4 (b) For the purposes of this Section, "epinephrine  
5 auto-injector" means a single-use device used for the automatic  
6 injection of a pre-measured dose of epinephrine into the human  
7 body prescribed in the name of the Department.

8 (c) The Illinois Law Enforcement Training Standards Board  
9 ~~Department~~ may conduct or approve a training program for State  
10 Police officers to recognize and respond to anaphylaxis,  
11 including, but not limited to:

12 (1) how to recognize symptoms of an allergic reaction;

13 (2) how to respond to an emergency involving an  
14 allergic reaction;

15 (3) how to administer an epinephrine auto-injector;

16 (4) how to respond to an individual with a known  
17 allergy as well as an individual with a previously unknown  
18 allergy;

19 (5) a test demonstrating competency of the knowledge  
20 required to recognize anaphylaxis and administer an  
21 epinephrine auto-injector; and

22 (6) other criteria as determined in rules adopted by  
23 the Illinois Law Enforcement Training Standards Board  
24 ~~Department~~.

25 (d) The Department may authorize a State Police officer who  
26 has completed the training program under subsection (c) to

1 carry, administer, or assist with the administration of  
2 epinephrine auto-injectors whenever he or she is performing  
3 official duties.

4 (e) The Department must establish a written policy to  
5 control the acquisition, storage, transportation,  
6 administration, and disposal of epinephrine auto-injectors  
7 before it allows any State Police officer to carry and  
8 administer epinephrine auto-injectors.

9 (f) A physician, physician ~~physician's~~ assistant with  
10 prescriptive authority, or advanced practice registered nurse  
11 with prescriptive authority may provide a standing protocol or  
12 prescription for epinephrine auto-injectors in the name of the  
13 Department to be maintained for use when necessary.

14 (g) When a State Police officer administers an epinephrine  
15 auto-injector in good faith, the officer and the Department,  
16 and its employees and agents, including a physician, physician  
17 ~~physician's~~ assistant with prescriptive authority, or advanced  
18 practice registered nurse with prescriptive authority who  
19 provides a standing order or prescription for an epinephrine  
20 auto-injector, incur no civil or professional liability,  
21 except for willful and wanton conduct, as a result of any  
22 injury or death arising from the use of an epinephrine  
23 auto-injector.

24 (Source: P.A. 99-711, eff. 1-1-17; 100-201, eff. 8-18-17;  
25 100-648, eff. 7-31-18; revised 1-14-20.)

1 (20 ILCS 2610/45)

2 Sec. 45. Compliance with the Health Care Violence  
3 Prevention Act; training. The Department shall comply with the  
4 Health Care Violence Prevention Act. The Illinois Law  
5 Enforcement Training Standards Board ~~and~~ shall provide an  
6 appropriate level of training for its officers concerning the  
7 Health Care Violence Prevention Act.

8 (Source: P.A. 100-1051, eff. 1-1-19; 100-1186, eff. 4-5-19.)

9 Section 25. The Illinois Police Training Act is amended by  
10 changing Sections 2, 6, 6.1, 8.1, and 8.2 and adding Section  
11 6.3 as follows:

12 (50 ILCS 705/2) (from Ch. 85, par. 502)

13 Sec. 2. Definitions. As used in this Act, unless the  
14 context otherwise requires:

15 "Board" means the Illinois Law Enforcement Training  
16 Standards Board.

17 "Local governmental agency" means any local governmental  
18 unit or municipal corporation in this State. It does not  
19 include the State of Illinois or any office, officer,  
20 department, division, bureau, board, commission, or agency of  
21 the State, except that it does include a State-controlled  
22 university, college or public community college.

23 "Police training school" means any school located within  
24 the State of Illinois whether privately or publicly owned which

1 offers a course in police or county corrections training and  
2 has been approved by the Board.

3 "Probationary police officer" means a recruit law  
4 enforcement officer required to successfully complete initial  
5 minimum basic training requirements at a police training school  
6 to be eligible for permanent full-time employment as a local  
7 law enforcement officer.

8 "Probationary part-time police officer" means a recruit  
9 part-time law enforcement officer required to successfully  
10 complete initial minimum part-time training requirements to be  
11 eligible for employment on a part-time basis as a local law  
12 enforcement officer.

13 "Permanent police officer" means a law enforcement officer  
14 who has completed his or her probationary period and is  
15 permanently employed on a full-time basis as a local law  
16 enforcement officer by a participating local governmental unit  
17 or as a security officer or campus policeman permanently  
18 employed by a participating State-controlled university,  
19 college, or public community college.

20 "Part-time police officer" means a law enforcement officer  
21 who has completed his or her probationary period and is  
22 employed on a part-time basis as a law enforcement officer by a  
23 participating unit of local government or as a campus policeman  
24 by a participating State-controlled university, college, or  
25 public community college.

26 "Law enforcement officer" means (i) any police officer of a

1 State or local governmental agency who is primarily responsible  
2 for prevention or detection of crime and the enforcement of the  
3 criminal code, traffic, or highway laws of this State or any  
4 political subdivision of this State or (ii) any member of a  
5 police force appointed and maintained as provided in Section 2  
6 of the Railroad Police Act.

7 "Recruit" means any full-time or part-time law enforcement  
8 officer or full-time county corrections officer who is enrolled  
9 in an approved training course.

10 "Probationary county corrections officer" means a recruit  
11 county corrections officer required to successfully complete  
12 initial minimum basic training requirements at a police  
13 training school to be eligible for permanent employment on a  
14 full-time basis as a county corrections officer.

15 "Permanent county corrections officer" means a county  
16 corrections officer who has completed his probationary period  
17 and is permanently employed on a full-time basis as a county  
18 corrections officer by a participating local governmental  
19 unit.

20 "County corrections officer" means any sworn officer of the  
21 sheriff who is primarily responsible for the control and  
22 custody of offenders, detainees or inmates.

23 "Probationary court security officer" means a recruit  
24 court security officer required to successfully complete  
25 initial minimum basic training requirements at a designated  
26 training school to be eligible for employment as a court

1 security officer.

2 "Permanent court security officer" means a court security  
3 officer who has completed his or her probationary period and is  
4 employed as a court security officer by a participating local  
5 governmental unit.

6 "Court security officer" has the meaning ascribed to it in  
7 Section 3-6012.1 of the Counties Code.

8 (Source: P.A. 94-846, eff. 1-1-07.)

9 (50 ILCS 705/6) (from Ch. 85, par. 506)

10 Sec. 6. Powers and duties of the Board; selection and  
11 certification of schools. The Board shall select and certify  
12 schools within the State of Illinois for the purpose of  
13 providing basic training for probationary police officers,  
14 probationary county corrections officers, and court security  
15 officers and of providing advanced or in-service training for  
16 permanent police officers or permanent county corrections  
17 officers, which schools may be either publicly or privately  
18 owned and operated. In addition, the Board has the following  
19 power and duties:

20 a. To require local governmental units to furnish such  
21 reports and information as the Board deems necessary to  
22 fully implement this Act.

23 b. To establish appropriate mandatory minimum  
24 standards relating to the training of probationary local  
25 law enforcement officers or probationary county

1 corrections officers, and in-service training of permanent  
2 police officers.

3 c. To provide appropriate licensure or certification  
4 to those probationary officers who successfully complete  
5 the prescribed minimum standard basic training course.

6 d. To review and approve annual training curriculum for  
7 county sheriffs.

8 e. To review and approve applicants to ensure that no  
9 applicant is admitted to a certified academy unless the  
10 applicant is a person of good character and has not been  
11 convicted of, or entered a plea of guilty to, a felony  
12 offense, any of the misdemeanors in Sections 11-1.50, 11-6,  
13 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1, 17-1, 17-2,  
14 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7 of the  
15 Criminal Code of 1961 or the Criminal Code of 2012,  
16 subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the  
17 Criminal Code of 1961 or the Criminal Code of 2012, or  
18 subsection (a) of Section 17-32 of the Criminal Code of  
19 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of  
20 the Cannabis Control Act, or a crime involving moral  
21 turpitude under the laws of this State or any other state  
22 which if committed in this State would be punishable as a  
23 felony or a crime of moral turpitude. The Board may appoint  
24 investigators who shall enforce the duties conferred upon  
25 the Board by this Act.

26 f. To be the licensing authority for all police

1 officers employed by the State or a unit of local  
2 government.

3 (Source: P.A. 101-187, eff. 1-1-20.)

4 (50 ILCS 705/6.1)

5 Sec. 6.1. Revocation of license or decertification  
6 ~~Decertification~~ of full-time and part-time police officers.

7 (a) The Board must review police officer conduct and  
8 records to ensure that no police officer is licensed ~~certified~~  
9 or provided a valid waiver if that police officer has been  
10 convicted of or pleads guilty to, ~~or entered a plea of guilty~~  
11 ~~to,~~ a felony offense under the laws of this State or any other  
12 state which if committed in this State would be punishable as a  
13 felony. The Board must also ensure that no police officer is  
14 licensed ~~certified~~ or provided a valid waiver if that police  
15 officer has been convicted of, or entered a plea of guilty to,  
16 on or after the effective date of this amendatory Act of 1999  
17 of any misdemeanor specified in this Section or if committed in  
18 any other state would be an offense similar to Section 11-1.50,  
19 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1, 17-1,  
20 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7 of the  
21 Criminal Code of 1961 or the Criminal Code of 2012, to  
22 subdivision (a)(1) or (a)(2)(C) of Section 11-14.3 of the  
23 Criminal Code of 1961 or the Criminal Code of 2012, or  
24 subsection (a) of Section 17-32 of the Criminal Code of 1961 or  
25 the Criminal Code of 2012, or to Section 5 or 5.2 of the

1 Cannabis Control Act. The Board must appoint investigators to  
2 enforce the duties conferred upon the Board by this Act.

3 (b) It is the responsibility of the sheriff or the chief  
4 executive officer of every local law enforcement agency or  
5 department within this State to report to the Board any arrest,  
6 conviction, or plea of guilty of any officer for an offense  
7 identified in this Section.

8 (c) It is the duty and responsibility of every full-time  
9 and part-time police officer in this State to report to the  
10 Board within 30 days, and the officer's sheriff or chief  
11 executive officer, of his or her arrest, conviction, or plea of  
12 guilty for an offense identified in this Section. Any full-time  
13 or part-time police officer who knowingly makes, submits,  
14 causes to be submitted, or files a false or untruthful report  
15 to the Board must have his or her license certificate or waiver  
16 immediately ~~decertified or~~ revoked.

17 (d) Any person, or a local or State agency, or the Board is  
18 immune from liability for submitting, disclosing, or releasing  
19 information of arrests, convictions, or pleas of guilty in this  
20 Section as long as the information is submitted, disclosed, or  
21 released in good faith and without malice. The Board has  
22 qualified immunity for the release of the information.

23 (e) Whenever a ~~Any~~ full-time or part-time police officer  
24 with a license certificate or waiver issued by the Board who is  
25 convicted ~~of~~ pleads guilty to, ~~or entered a plea of guilty~~  
26 ~~to~~, any offense described in this Section, his or her license

1 or waiver is automatically revoked by operation of law  
2 ~~immediately becomes decertified or no longer has a valid~~  
3 ~~waiver. The decertification and invalidity of waivers occurs as~~  
4 ~~a matter of law.~~ Failure of a convicted person to report to the  
5 Board his or her conviction as described in this Section or any  
6 continued law enforcement practice after receiving a  
7 conviction is a Class 4 felony.

8 (f) The Board's investigators are peace officers and have  
9 all the powers possessed by policemen in cities and by  
10 sheriff's, and these investigators may exercise those powers  
11 anywhere in the State. An investigator shall not have peace  
12 officer status or exercise police powers unless he or she  
13 successfully completes the basic police training course  
14 mandated and approved by the Board or the Board waives the  
15 training requirement by reason of the investigator's prior law  
16 enforcement experience, training, or both. The Board shall not  
17 waive the training requirement unless the investigator has had  
18 a minimum of 5 years experience as a sworn officer of a local,  
19 State, or federal law enforcement agency.

20 (g) The Board must request and receive information and  
21 assistance from any federal, state, or local governmental  
22 agency as part of the authorized criminal background  
23 investigation. The Department of State Police must process,  
24 retain, and additionally provide and disseminate information  
25 to the Board concerning criminal charges, arrests,  
26 convictions, and their disposition, that have been filed

1 before, on, or after the effective date of this amendatory Act  
2 of the 91st General Assembly against a basic academy applicant,  
3 law enforcement applicant, or law enforcement officer whose  
4 fingerprint identification cards are on file or maintained by  
5 the Department of State Police. The Federal Bureau of  
6 Investigation must provide the Board any criminal history  
7 record information contained in its files pertaining to law  
8 enforcement officers or any applicant to a Board certified  
9 basic law enforcement academy as described in this Act based on  
10 fingerprint identification. The Board must make payment of fees  
11 to the Department of State Police for each fingerprint card  
12 submission in conformance with the requirements of paragraph 22  
13 of Section 55a of the Civil Administrative Code of Illinois.

14 (h) A police officer who has been certified, licensed, or  
15 granted a valid waiver shall also be decertified, have his or  
16 her license revoked, or have his or her waiver revoked upon a  
17 determination by the Illinois Labor Relations Board State Panel  
18 that he or she, while under oath, has knowingly and willfully  
19 made false statements as to a material fact going to an element  
20 of the offense of murder. If an appeal is filed, the  
21 determination shall be stayed.

22 (1) In the case of an acquittal on a charge of murder,  
23 a verified complaint may be filed:

24 (A) by the defendant; or

25 (B) by a police officer with personal knowledge of  
26 perjured testimony.

1           The complaint must allege that a police officer, while  
2           under oath, knowingly and willfully made false statements  
3           as to a material fact going to an element of the offense of  
4           murder. The verified complaint must be filed with the  
5           Executive Director of the Illinois Law Enforcement  
6           Training Standards Board within 2 years of the judgment of  
7           acquittal.

8           (2) Within 30 days, the Executive Director of the  
9           Illinois Law Enforcement Training Standards Board shall  
10          review the verified complaint and determine whether the  
11          verified complaint is frivolous and without merit, or  
12          whether further investigation is warranted. The Illinois  
13          Law Enforcement Training Standards Board shall notify the  
14          officer and the Executive Director of the Illinois Labor  
15          Relations Board State Panel of the filing of the complaint  
16          and any action taken thereon. If the Executive Director of  
17          the Illinois Law Enforcement Training Standards Board  
18          determines that the verified complaint is frivolous and  
19          without merit, it shall be dismissed. The Executive  
20          Director of the Illinois Law Enforcement Training  
21          Standards Board has sole discretion to make this  
22          determination and this decision is not subject to appeal.

23          (i) If the Executive Director of the Illinois Law  
24          Enforcement Training Standards Board determines that the  
25          verified complaint warrants further investigation, he or she  
26          shall refer the matter to a task force of investigators created

1 for this purpose. This task force shall consist of 8 sworn  
2 police officers: 2 from the Illinois State Police, 2 from the  
3 City of Chicago Police Department, 2 from county police  
4 departments, and 2 from municipal police departments. These  
5 investigators shall have a minimum of 5 years of experience in  
6 conducting criminal investigations. The investigators shall be  
7 appointed by the Executive Director of the Illinois Law  
8 Enforcement Training Standards Board. Any officer or officers  
9 acting in this capacity pursuant to this statutory provision  
10 will have statewide police authority while acting in this  
11 investigative capacity. Their salaries and expenses for the  
12 time spent conducting investigations under this paragraph  
13 shall be reimbursed by the Illinois Law Enforcement Training  
14 Standards Board.

15 (j) Once the Executive Director of the Illinois Law  
16 Enforcement Training Standards Board has determined that an  
17 investigation is warranted, the verified complaint shall be  
18 assigned to an investigator or investigators. The investigator  
19 or investigators shall conduct an investigation of the verified  
20 complaint and shall write a report of his or her findings. This  
21 report shall be submitted to the Executive Director of the  
22 Illinois Labor Relations Board State Panel.

23 Within 30 days, the Executive Director of the Illinois  
24 Labor Relations Board State Panel shall review the  
25 investigative report and determine whether sufficient evidence  
26 exists to conduct an evidentiary hearing on the verified

1 complaint. If the Executive Director of the Illinois Labor  
2 Relations Board State Panel determines upon his or her review  
3 of the investigatory report that a hearing should not be  
4 conducted, the complaint shall be dismissed. This decision is  
5 in the Executive Director's sole discretion, and this dismissal  
6 may not be appealed.

7 If the Executive Director of the Illinois Labor Relations  
8 Board State Panel determines that there is sufficient evidence  
9 to warrant a hearing, a hearing shall be ordered on the  
10 verified complaint, to be conducted by an administrative law  
11 judge employed by the Illinois Labor Relations Board State  
12 Panel. The Executive Director of the Illinois Labor Relations  
13 Board State Panel shall inform the Executive Director of the  
14 Illinois Law Enforcement Training Standards Board and the  
15 person who filed the complaint of either the dismissal of the  
16 complaint or the issuance of the complaint for hearing. The  
17 Executive Director shall assign the complaint to the  
18 administrative law judge within 30 days of the decision  
19 granting a hearing.

20 (k) In the case of a finding of guilt on the offense of  
21 murder, if a new trial is granted on direct appeal, or a state  
22 post-conviction evidentiary hearing is ordered, based on a  
23 claim that a police officer, under oath, knowingly and  
24 willfully made false statements as to a material fact going to  
25 an element of the offense of murder, the Illinois Labor  
26 Relations Board State Panel shall hold a hearing to determine

1 whether the officer should be decertified or have his or her  
2 license or waiver revoked if an interested party requests such  
3 a hearing within 2 years of the court's decision. The complaint  
4 shall be assigned to an administrative law judge within 30 days  
5 so that a hearing can be scheduled.

6 At the hearing, the accused officer shall be afforded the  
7 opportunity to:

8 (1) Be represented by counsel of his or her own  
9 choosing;

10 (2) Be heard in his or her own defense;

11 (3) Produce evidence in his or her defense;

12 (4) Request that the Illinois Labor Relations Board  
13 State Panel compel the attendance of witnesses and  
14 production of related documents including but not limited  
15 to court documents and records.

16 Once a case has been set for hearing, the verified  
17 complaint shall be referred to the Department of Financial and  
18 Professional Regulation. That office shall prosecute the  
19 verified complaint at the hearing before the administrative law  
20 judge. The Department of Financial and Professional Regulation  
21 shall have the opportunity to produce evidence to support the  
22 verified complaint and to request the Illinois Labor Relations  
23 Board State Panel to compel the attendance of witnesses and the  
24 production of related documents, including, but not limited to,  
25 court documents and records. The Illinois Labor Relations Board  
26 State Panel shall have the power to issue subpoenas requiring

1 the attendance of and testimony of witnesses and the production  
2 of related documents including, but not limited to, court  
3 documents and records and shall have the power to administer  
4 oaths.

5 The administrative law judge shall have the responsibility  
6 of receiving into evidence relevant testimony and documents,  
7 including court records, to support or disprove the allegations  
8 made by the person filing the verified complaint and, at the  
9 close of the case, hear arguments. If the administrative law  
10 judge finds that there is not clear and convincing evidence to  
11 support the verified complaint that the police officer has,  
12 while under oath, knowingly and willfully made false statements  
13 as to a material fact going to an element of the offense of  
14 murder, the administrative law judge shall make a written  
15 recommendation of dismissal to the Illinois Labor Relations  
16 Board State Panel. If the administrative law judge finds that  
17 there is clear and convincing evidence that the police officer  
18 has, while under oath, knowingly and willfully made false  
19 statements as to a material fact that goes to an element of the  
20 offense of murder, the administrative law judge shall make a  
21 written recommendation so concluding to the Illinois Labor  
22 Relations Board State Panel. The hearings shall be transcribed.  
23 The Executive Director of the Illinois Law Enforcement Training  
24 Standards Board shall be informed of the administrative law  
25 judge's recommended findings and decision and the Illinois  
26 Labor Relations Board State Panel's subsequent review of the

1 recommendation.

2 (l) An officer named in any complaint filed pursuant to  
3 this Act shall be indemnified for his or her reasonable  
4 attorney's fees and costs by his or her employer. These fees  
5 shall be paid in a regular and timely manner. The State, upon  
6 application by the public employer, shall reimburse the public  
7 employer for the accused officer's reasonable attorney's fees  
8 and costs. At no time and under no circumstances will the  
9 accused officer be required to pay his or her own reasonable  
10 attorney's fees or costs.

11 (m) The accused officer shall not be placed on unpaid  
12 status because of the filing or processing of the verified  
13 complaint until there is a final non-appealable order  
14 sustaining his or her guilt and his or her license or  
15 certification is revoked. Nothing in this Act, however,  
16 restricts the public employer from pursuing discipline against  
17 the officer in the normal course and under procedures then in  
18 place.

19 (n) The Illinois Labor Relations Board State Panel shall  
20 review the administrative law judge's recommended decision and  
21 order and determine by a majority vote whether or not there was  
22 clear and convincing evidence that the accused officer, while  
23 under oath, knowingly and willfully made false statements as to  
24 a material fact going to the offense of murder. Within 30 days  
25 of service of the administrative law judge's recommended  
26 decision and order, the parties may file exceptions to the

1 recommended decision and order and briefs in support of their  
2 exceptions with the Illinois Labor Relations Board State Panel.  
3 The parties may file responses to the exceptions and briefs in  
4 support of the responses no later than 15 days after the  
5 service of the exceptions. If exceptions are filed by any of  
6 the parties, the Illinois Labor Relations Board State Panel  
7 shall review the matter and make a finding to uphold, vacate,  
8 or modify the recommended decision and order. If the Illinois  
9 Labor Relations Board State Panel concludes that there is clear  
10 and convincing evidence that the accused officer, while under  
11 oath, knowingly and willfully made false statements as to a  
12 material fact going to an element of the offense murder, the  
13 Illinois Labor Relations Board State Panel shall inform the  
14 Illinois Law Enforcement Training Standards Board and the  
15 Illinois Law Enforcement Training Standards Board shall revoke  
16 the accused officer's, license, or waiver certification. If the  
17 accused officer appeals that determination to the Appellate  
18 Court, as provided by this Act, he or she may petition the  
19 Appellate Court to stay the revocation of his or her  
20 certification, license, or waiver pending the court's review of  
21 the matter.

22 (o) None of the Illinois Labor Relations Board State  
23 Panel's findings or determinations shall set any precedent in  
24 any of its decisions decided pursuant to the Illinois Public  
25 Labor Relations Act by the Illinois Labor Relations Board State  
26 Panel or the courts.

1           (p) A party aggrieved by the final order of the Illinois  
2 Labor Relations Board State Panel may apply for and obtain  
3 judicial review of an order of the Illinois Labor Relations  
4 Board State Panel, in accordance with the provisions of the  
5 Administrative Review Law, except that such judicial review  
6 shall be afforded directly in the Appellate Court for the  
7 district in which the accused officer resides. Any direct  
8 appeal to the Appellate Court shall be filed within 35 days  
9 from the date that a copy of the decision sought to be reviewed  
10 was served upon the party affected by the decision.

11           (q) Interested parties. Only interested parties to the  
12 criminal prosecution in which the police officer allegedly,  
13 while under oath, knowingly and willfully made false statements  
14 as to a material fact going to an element of the offense of  
15 murder may file a verified complaint pursuant to this Section.  
16 For purposes of this Section, "interested parties" shall be  
17 limited to the defendant and any police officer who has  
18 personal knowledge that the police officer who is the subject  
19 of the complaint has, while under oath, knowingly and willfully  
20 made false statements as to a material fact going to an element  
21 of the offense of murder.

22           (r) Semi-annual reports. The Executive Director of the  
23 Illinois Labor Relations Board shall submit semi-annual  
24 reports to the Governor, President, and Minority Leader of the  
25 Senate, and to the Speaker and Minority Leader of the House of  
26 Representatives beginning on June 30, 2004, indicating:

1 (1) the number of verified complaints received since  
2 the date of the last report;

3 (2) the number of investigations initiated since the  
4 date of the last report;

5 (3) the number of investigations concluded since the  
6 date of the last report;

7 (4) the number of investigations pending as of the  
8 reporting date;

9 (5) the number of hearings held since the date of the  
10 last report; and

11 (6) the number of officers decertified or whose  
12 licenses have been revoked since the date of the last  
13 report.

14 (Source: P.A. 101-187, eff. 1-1-20.)

15 (50 ILCS 705/6.3 new)

16 Sec. 6.3. Conversion of certificates to licenses.

17 (a) Beginning one year after the effective date of this  
18 amendatory Act of the 101st General Assembly, the Board's  
19 recognition of persons who have successfully completed the  
20 prescribed minimum standard basic training course for police  
21 officers shall be known as licensure rather than certification.

22 (b) If a person has successfully completed the prescribed  
23 minimum standard basic training course for police officers and  
24 holds a valid certification to that effect one year after the  
25 effective date of this amendatory Act of the 101st General

1 Assembly, that certification shall be deemed to be a license  
2 for the purposes of this Act.

3 (c) If, one year after the effective date of this  
4 amendatory Act of the 101st General Assembly, a person holds a  
5 valid waiver from one of the certification requirements of this  
6 Act for police officers, that waiver shall be deemed a waiver  
7 from the corresponding licensure requirement of this Act.

8 (d) The Board shall replace the certificates or other  
9 evidences of certification or waiver for police officers in use  
10 one year after the effective date of this amendatory Act of the  
11 101st General Assembly with new credentials reflecting the  
12 change in nomenclature instituted by this amendatory Act of the  
13 101st General Assembly.

14 (50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

15 Sec. 8.1. Full-time police and county corrections  
16 officers.

17 (a) After January 1, 1976, no person shall receive a  
18 permanent appointment as a law enforcement officer as defined  
19 in this Act, nor shall any person receive, after the effective  
20 date of this amendatory Act of 1984, a permanent appointment as  
21 a county corrections officer, unless that person has been  
22 awarded, within 6 months of his or her initial full-time  
23 employment, a license or certificate attesting to his or her  
24 successful completion of the Minimum Standards Basic Law  
25 Enforcement and County Correctional Training Course as

1 prescribed by the Board; or has been awarded a license or  
2 certificate attesting to his or her satisfactory completion of  
3 a training program of similar content and number of hours and  
4 which course has been found acceptable by the Board under the  
5 provisions of this Act; or by reason of extensive prior law  
6 enforcement or county corrections experience the basic  
7 training requirement is determined by the Board to be illogical  
8 and unreasonable.

9 If such training is required and not completed within the  
10 applicable 6 months, then the officer must forfeit his or her  
11 position, or the employing agency must obtain a waiver from the  
12 Board extending the period for compliance. Such waiver shall be  
13 issued only for good and justifiable reasons, and in no case  
14 shall extend more than 90 days beyond the initial 6 months. Any  
15 hiring agency that fails to train a law enforcement officer  
16 within this period shall be prohibited from employing this  
17 individual in a law enforcement capacity for one year from the  
18 date training was to be completed. If an agency again fails to  
19 train the individual a second time, the agency shall be  
20 permanently barred from employing this individual in a law  
21 enforcement capacity.

22 (b) No provision of this Section shall be construed to mean  
23 that a law enforcement officer employed by a local governmental  
24 agency at the time of the effective date of this amendatory  
25 Act, either as a probationary police officer or as a permanent  
26 police officer, shall require licensure or certification under

1 the provisions of this Section. No provision of this Section  
2 shall be construed to mean that a county corrections officer  
3 employed by a local governmental agency at the time of the  
4 effective date of this amendatory Act of 1984, either as a  
5 probationary county corrections or as a permanent county  
6 corrections officer, shall require licensure or certification  
7 under the provisions of this Section. No provision of this  
8 Section shall be construed to apply to certification of elected  
9 county sheriffs.

10 (c) This Section does not apply to part-time police  
11 officers or probationary part-time police officers.

12 (Source: P.A. 101-187, eff. 1-1-20.)

13 (50 ILCS 705/8.2)

14 Sec. 8.2. Part-time police officers.

15 (a) A person hired to serve as a part-time police officer  
16 must obtain from the Board a license or certificate (i)  
17 attesting to his or her successful completion of the part-time  
18 police training course; (ii) attesting to his or her  
19 satisfactory completion of a training program of similar  
20 content and number of hours that has been found acceptable by  
21 the Board under the provisions of this Act; or (iii) attesting  
22 to the Board's determination that the part-time police training  
23 course is unnecessary because of the person's extensive prior  
24 law enforcement experience. A person hired on or after the  
25 effective date of this amendatory Act of the 92nd General

1 Assembly must obtain this license or certificate within 18  
2 months after the initial date of hire as a probationary  
3 part-time police officer in the State of Illinois. The  
4 probationary part-time police officer must be enrolled and  
5 accepted into a Board-approved course within 6 months after  
6 active employment by any department in the State. A person  
7 hired on or after January 1, 1996 and before the effective date  
8 of this amendatory Act of the 92nd General Assembly must obtain  
9 this license or certificate within 18 months after the date of  
10 hire. A person hired before January 1, 1996 must obtain this  
11 license or certificate within 24 months after the effective  
12 date of this amendatory Act of 1995.

13 The employing agency may seek a waiver from the Board  
14 extending the period for compliance. A waiver shall be issued  
15 only for good and justifiable reasons, and the probationary  
16 part-time police officer may not practice as a part-time police  
17 officer during the waiver period. If training is required and  
18 not completed within the applicable time period, as extended by  
19 any waiver that may be granted, then the officer must forfeit  
20 his or her position.

21 (b) (Blank).

22 (c) The part-time police training course referred to in  
23 this Section shall be of similar content and the same number of  
24 hours as the courses for full-time officers and shall be  
25 provided by Mobile Team In-Service Training Units under the  
26 Intergovernmental Law Enforcement Officer's In-Service

1 Training Act or by another approved program or facility in a  
2 manner prescribed by the Board.

3 (d) For the purposes of this Section, the Board shall adopt  
4 rules defining what constitutes employment on a part-time  
5 basis.

6 (Source: P.A. 92-533, eff. 3-14-02.)

7 Section 30. The Counties Code is amended by adding Section  
8 3-6041 as follows:

9 (55 ILCS 5/3-6041 new)

10 Sec. 3-6041. County community accountability board.

11 (a) A community accountability board shall be established  
12 by ordinance of the county board no later than 90 days after  
13 the effective date of this amendatory Act of the 101st General  
14 Assembly and the community accountability board shall be  
15 comprised of at least 3 residents of the county elected at a  
16 special election as provided in the Election Code as soon as  
17 possible after the adoption of the ordinance. The ordinance may  
18 require each member to be elected at-large or from different  
19 areas of the county. Members elected at the special election  
20 shall serve until their successor is elected and qualified at  
21 the 2023 consolidated election. Members elected at the 2023  
22 consolidated election and thereafter shall serve 2-year terms.  
23 If a vacancy occurs, the county board shall appoint a  
24 replacement to serve the remainder of the member's term.

1       Instead of an individual county community accountability  
2 board, counties of under 10,000 residents may, by  
3 intergovernmental agreement no later than 90 days after the  
4 effective date of this amendatory Act of the 101st General  
5 Assembly, create a joint county community accountability board  
6 with at least one resident member elected from each county in  
7 the agreement. If a vacancy occurs, the county board from the  
8 county in which the member was elected shall appoint a  
9 replacement to serve the remainder of the member's term.

10       A joint county community accountability board may be  
11 created to replace individual county community accountability  
12 boards of counties of under 10,000 residents or  
13 intergovernmental agreements may be dissolved to create  
14 individual county community accountability boards more than 90  
15 days after the effective date of this amendatory Act of the  
16 101st General Assembly.

17       A person who is a current or former member of a sheriff's  
18 department, or is a parent, spouse, sibling, or child of a  
19 person who is a current or former member of a sheriff's  
20 department, is not eligible to serve as a member of the board.

21       (b) The ordinance or intergovernmental agreement shall  
22 outline the powers and duties of each community accountability  
23 board as the civilian accountability entity to the sheriff's  
24 department. The duties may include, but are not limited to:

25           (1) Conducting its own investigations, including  
26 having its own investigative force as funding permits, into

1 sheriff department misconduct and render its own decisions  
2 on disciplining and firing deputies.

3 (2) Appointing sheriff's office merit commission  
4 members.

5 (3) Working on community law enforcement initiatives.

6 (4) Developing restorative justice programs.

7 (c) Each community accountability board shall hold  
8 meetings at least every other month to discuss its business and  
9 to provide a forum for residents to address concerns about  
10 policing in the municipality.

11 (d) The county shall provide administrative and other  
12 support to the community accountability board. For joint  
13 community accountability boards, the intergovernmental  
14 agreement shall state which county or counties shall provide  
15 administrative and other support to the community  
16 accountability board.

17 (e) The provisions of this Section are notwithstanding any  
18 other provision of law.

19 (f) Except for counties with a community accountability  
20 board on the effective date of this amendatory Act of the 101st  
21 General Assembly, a home rule county may not regulate community  
22 accountability boards in a manner inconsistent with this  
23 Section. This Section is a limitation under subsection (i) of  
24 Section 6 of Article VII of the Illinois Constitution on the  
25 concurrent exercise by home rule units of powers and functions  
26 exercised by the State.

1 Section 35. The Illinois Municipal Code is amended by  
2 adding Sections 3.1-20-7, 3.1-20-8, 3.1-20-9, 11-1-2.2, and  
3 11-1-15 as follows:

4 (65 ILCS 5/3.1-20-7 new)

5 Sec. 3.1-20-7. Election of Superintendent of Police.  
6 Notwithstanding any other provision of law, in a municipality  
7 with a population of 1,000,000 or more the chief of police, who  
8 shall be known as the Superintendent of Police, shall be  
9 elected as follows:

10 (1) The Superintendent of Police shall be elected at  
11 the 2021 consolidated election for a one-year term and,  
12 beginning with the 2022 general election, for a four-year  
13 term. If a vacancy occurs in the office of the  
14 Superintendent of Police, it shall be filled by the mayor  
15 with the advice and consent of the city council. The person  
16 so appointed shall hold office for the unexpired term of  
17 the Superintendent of Police elected.

18 (2) Every Superintendent of Police shall be  
19 commissioned by the Governor; but no commission shall issue  
20 except upon the certificate of the county clerk of the  
21 proper county, of the due election or appointment of such  
22 Superintendent of Police, and that he or she has filed his  
23 or her bond and taken the oath of office, as hereinafter  
24 provided.

1           (3) On or after the effective date of this amendatory  
2           Act of the 101st General Assembly, except as otherwise  
3           provided in this Section, a person is not eligible to be  
4           elected or appointed to the office of Superintendent of  
5           Police, unless that person meets all of the following  
6           requirements:

7                   (A) is a United States citizen; and

8                   (B) has been a resident of the municipality for at  
9                   least one year.

10           (4) The Superintendent of Police shall enter upon the  
11           duties of his or her office on the first day in the month  
12           of December following his or her election on which the  
13           office of the Superintendent of Police is required, by  
14           statute or by action of the corporate authorities of the  
15           municipality, to be open.

16           (5) Before entering upon the duties of his or her  
17           office, he or she shall give bond, with 2 or more  
18           sufficient sureties (or, if the municipality is  
19           self-insured, the municipality through its self-insurance  
20           program may provide bonding), to be approved by the circuit  
21           court for his or her county, in the penal sum of \$100,000,  
22           payable to the people of the State of Illinois, conditioned  
23           that he or she will faithfully discharge all the duties  
24           required, or to be required of him or her by law, as such  
25           Superintendent of Police; which bond shall be filed in the  
26           circuit court, and a copy thereof also filed in the office

1 of the county clerk of his or her county. Copies of such  
2 bonds, certified by the county clerk, or of the record  
3 thereof, certified by the clerk of the circuit court, shall  
4 be received as evidence.

5 (6) He or she shall also, before entering upon the  
6 duties of his or her office, take and subscribe the oath or  
7 affirmation prescribed by Section 3 of Article XIII of the  
8 Constitution, which shall be filed in the office of the  
9 county clerk of his or her county.

10 (7) If any person elected or appointed to the office of  
11 Superintendent of Police shall fail to give bond or take  
12 the oath required of him or her within 30 days after he or  
13 she is appointed or declared elected, the office shall be  
14 deemed vacant.

15 (8) Each Superintendent of Police shall obtain at least  
16 20 hours of training, approved by the Illinois Law  
17 Enforcement Training Standards Board, relating to law  
18 enforcement and the operation of a Superintendent of  
19 Police's office each year. Reasonable expenses incurred by  
20 the Superintendent of Police in obtaining such training  
21 shall be reimbursed by the municipality upon presentation  
22 by the Superintendent of Police to the city council of a  
23 certificate of completion from the person or entity  
24 conducting such training.

25 (9) No municipality with a population of 1,000,000 or  
26 more may employ, contract with, appoint, or elect a

1 Superintendent of Police in a manner inconsistent with this  
2 Section. This Section is a limitation under subsection (i)  
3 of Section 6 of Article VII of the Illinois Constitution on  
4 the concurrent exercise by home rule units of power and  
5 functions exercised by the State.

6 (10) A Superintendent of Police elected or appointed  
7 under this Section shall exercise all powers provided by  
8 law for the chief of police for the municipality for which  
9 he or she is elected or appointed.

10 This Section is repealed on January 1, 2031. On the date of  
11 repeal, the Superintendent of Police then serving shall  
12 complete his or her term and shall be replaced by appointment  
13 of the city council.

14 (65 ILCS 5/3.1-20-8 new)

15 Sec. 3.1-20-8. Recall of Superintendent of Police.

16 (a) The recall of the Superintendent of Police in a  
17 municipality with a population of 1,000,000 or more may be  
18 proposed by a petition signed by a number of electors equal in  
19 number to at least 15% of the total votes cast for  
20 Superintendent of Police in the last election that the  
21 Superintendent of Police was elected, with at least 50  
22 signatures from each ward. A petition shall have been signed by  
23 the petitioning electors not more than 150 days after an  
24 affidavit has been filed with the board of election  
25 commissioners providing notice of intent to circulate a

1 petition to recall the Superintendent of Police. The affidavit  
2 may be filed no sooner than 6 months after the beginning of the  
3 Superintendent of Police's term of office or appointment. The  
4 affidavit shall have been signed by the proponent of the recall  
5 petition and at least 2 aldermen.

6 (b) The form of the petition, circulation, and procedure  
7 for determining the validity and sufficiency of a petition  
8 shall be as provided by law. If the petition is valid and  
9 sufficient, the board of election commissioners shall certify  
10 the petition not more than 100 days after the date the petition  
11 was filed, and the question "Shall (name) be recalled from the  
12 office of Superintendent of Police?" must be submitted to the  
13 electors at a special recall election called by the board of  
14 election commissioners, to occur not more than 100 days after  
15 certification of the petition. A recall petition certified by  
16 the board of election commissioners may not be withdrawn and  
17 another recall petition may not be initiated against the  
18 Superintendent of Police during the remainder of the current  
19 term of office or appointment. Any recall petition or recall  
20 election pending on the date of the next election at which a  
21 candidate for Superintendent of Police is elected is void.

22 (c) If a petition to recall the Superintendent of Police  
23 has been filed with the board of election commissioners and the  
24 Superintendent of Police is an elected position, a person  
25 eligible to serve as Superintendent of Police may propose his  
26 or her candidacy for the special successor primary election by

1 a petition signed by at least 12,500 legal voters of the city,  
2 signed not more than 50 days after a recall petition has been  
3 filed with the board of election commissioners. All such  
4 petitions, and procedure with respect thereto, shall conform in  
5 other respects to the provisions of the election and ballot  
6 laws then in force in the municipality concerning the  
7 nomination of independent candidates for public office by  
8 petition. If the successor election petition is valid and  
9 sufficient, the board of election commissioners shall certify  
10 the petition not more than 100 days after the date the petition  
11 to recall the Superintendent of Police was filed.

12 If the Superintendent of Police is removed by the special  
13 recall election and the Superintendent of Police is an elected  
14 position, the names of candidates for Superintendent of Police  
15 must be submitted to the electors at a special successor  
16 primary election called by the board of election commissioners  
17 to be held 60 days after the special recall election. If no  
18 candidate receives a majority of the votes in the special  
19 successor primary election, a special runoff election shall be  
20 held no later than 60 days after the special successor primary  
21 election, and only the names of the candidates receiving the  
22 highest and second highest number of votes at the special  
23 successor primary election shall appear on the ballot. If more  
24 than one candidate received the highest or second highest  
25 number of votes at the special successor primary election, the  
26 names of all candidates receiving the highest and second

1 highest number of votes shall appear on the ballot at the  
2 special runoff election. The candidate receiving the highest  
3 number of votes at the special runoff election shall be  
4 declared elected.

5 If the Superintendent of Police is removed by the special  
6 recall election and the Superintendent of Police is appointed,  
7 other than as provided in Section 3.1-20-9, then the city  
8 council shall appoint a new Superintendent of Police.

9 (d) The Superintendent of Police is immediately removed  
10 upon certification of the special recall election results if a  
11 majority of the electors voting on the question vote to recall  
12 the Superintendent of Police. If the Superintendent of Police  
13 is removed, then the First Deputy Superintendent shall serve as  
14 Interim Superintendent of Police until: (i) the Superintendent  
15 of Police elected at the special successor primary election or  
16 special runoff election is qualified and the candidate who  
17 receives a majority of votes in the special primary election or  
18 the candidate who receives the highest number of votes in the  
19 special runoff election is elected Superintendent of Police for  
20 the balance of the term; or (ii) the Superintendent of Police  
21 is appointed by the city council as provided in subsection (c).

22 (e) This Section may not be used to recall a Superintendent  
23 of Police serving a one-year term elected at the 2021  
24 consolidated election.

1       Sec. 3.1-20-9. Impeachment of Superintendent of Police.  
2       The city council in a municipality with a population of  
3       1,000,000 or more may, by 2/3 of the members then serving on  
4       the city council, impeach the elected Superintendent of Police  
5       for cause by vote of 2/3 of the aldermen then serving. Upon  
6       impeachment, the Superintendent of Police is immediately  
7       removed and the First Deputy Superintendent shall serve as  
8       Interim Superintendent of Police until the mayor appoints a  
9       Superintendent of Police to serve the remainder of the  
10       impeached Superintendent of Police's term.

11       This Section is repealed on January 1, 2031.

12       (65 ILCS 5/11-1-2.2 new)

13       Sec. 11-1-2.2. Police officer bonds.

14       (a) As used in this Section, "police officer" means any  
15       police officer employed by a municipality, other than the  
16       Superintendent of Police, including, but not limited to, the  
17       following ranks: deputy Superintendents, chiefs, commanders,  
18       directors, coordinators, captains, lieutenants, sergeants, and  
19       police officers

20       (b) No later than 30 days after the initial election of a  
21       Superintendent of Police under Section 3.1-20-7, or before  
22       entering upon the duties of his or her office if employed after  
23       the initial election of the Superintendent of Police, each  
24       police officer employed by a municipality with a population of  
25       1,000,000 or more shall give bond, with 2 or more sufficient

1 sureties (or, if the municipality is self-insured, the  
2 municipality through its self-insurance program may provide  
3 bonding), to be approved by the circuit court for his or her  
4 county, in the penal sum of \$100,000, payable to the people of  
5 the State of Illinois, conditioned that he or she will  
6 faithfully discharge all the duties required, or to be required  
7 of him or her by law, as a police officer; which bond shall be  
8 filed in the circuit court, and a copy thereof also filed in  
9 the office of the county clerk of his or her county. Copies of  
10 such bonds, certified by the county clerk, or of the record  
11 thereof, certified by the clerk of the circuit court, shall be  
12 received as evidence.

13 (c) A municipality with a population of 1,000,000 or more  
14 may not have bond requirements inconsistent with this Section.  
15 This Section is a limitation under subsection (i) of Section 6  
16 of Article VII of the Illinois Constitution on the concurrent  
17 exercise by home rule units of power and functions exercised by  
18 the State.

19 (d) This Section is not affected by the repeal of Section  
20 3.1-20-7.

21 (65 ILCS 5/11-1-15 new)

22 Sec. 11-1-15. Municipal community accountability board.

23 (a) In municipalities with a police department, a community  
24 accountability board shall be established by ordinance by the  
25 city council no later than 90 days after the effective date of

1 this amendatory Act of the 101st General Assembly and the board  
2 shall be comprised of at least 3 residents of the municipality  
3 elected at a special election as provided in the Election Code  
4 as soon as possible after the adoption of the ordinance. The  
5 ordinance may require each member to be elected at-large or  
6 from different districts, wards, or areas of the municipality.  
7 Members elected at the special election shall serve until their  
8 successor is elected and qualified at the 2023 consolidated  
9 election. Members elected at the 2023 consolidated election and  
10 thereafter shall serve 2-year terms. If a vacancy occurs, the  
11 corporate authorities of the municipality shall appoint a  
12 replacement to serve the remainder of the member's term.

13 Instead of an individual municipal community  
14 accountability board, municipalities of under 10,000 residents  
15 may, by intergovernmental agreement no later than 90-days after  
16 the effective date of this amendatory Act of the 101st General  
17 Assembly, create a joint municipal community accountability  
18 board with at least one resident member elected from each  
19 municipality in the agreement. If a vacancy occurs, the  
20 corporate authorities of the municipality from which the member  
21 was elected shall appoint a replacement to serve the remainder  
22 of the member's term.

23 A joint municipal community accountability board may be  
24 created to replace individual municipal community  
25 accountability boards of municipalities of under 10,000  
26 residents or intergovernmental agreements may be dissolved to

1 create individual municipal community accountability boards  
2 more than 90 days after the effective date of this amendatory  
3 Act of the 101st General Assembly.

4 A person who is a current or former member of a police  
5 department, or is a parent, spouse, sibling, or child of a  
6 current or former member of a police department, is not  
7 eligible to serve as a member of the board.

8 (b) The ordinance or intergovernmental agreement shall  
9 outline the powers and duties of each board as the civilian  
10 accountability entity to the police department. The duties may  
11 include, but are not limited to:

12 (1) Conducting its own investigations, including  
13 having its own investigative force as funding permits, into  
14 police misconduct and render its own decisions on  
15 disciplining and firing officers.

16 (2) Appointing police board members.

17 (3) Working on community policing initiatives.

18 (4) Developing restorative justice programs.

19 (c) Each board shall hold meetings at least every other  
20 month to discuss its business and to provide a forum for  
21 residents to address concerns about policing in the  
22 municipality.

23 (d) The municipality shall provide administrative and  
24 other support to the board. For joint community accountability  
25 boards, the intergovernmental agreement shall state which  
26 municipality or municipalities shall provide administrative

1 and other support to the board.

2 (e) The provisions of this Section are notwithstanding any  
3 other provision of law.

4 (f) Except for municipalities with a community  
5 accountability board on the effective date of this amendatory  
6 Act of the 101st General Assembly, a home rule municipality may  
7 not regulate community accountability boards in a manner  
8 inconsistent with this Section. This Section is a limitation  
9 under subsection (i) of Section 6 of Article VII of the  
10 Illinois Constitution on the concurrent exercise by home rule  
11 units of powers and functions exercised by the State.

12 Section 90. The State Mandates Act is amended by adding  
13 Section 8.45 as follows:

14 (30 ILCS 805/8.45 new)

15 Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and 8  
16 of this Act, no reimbursement by the State is required for the  
17 implementation of any mandate created by Section 3-6041 of  
18 Section 30 and Section 11-1-15 of Section 35 of this amendatory  
19 Act of the 101st General Assembly.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law, except that Sections 5 and 15 and Sections 2, 6,  
22 6.1, 8.1, and 8.2 of Section 25 take effect one year after this  
23 Act becomes law.

1 INDEX  
2 Statutes amended in order of appearance

3 5 ILCS 815/10  
4 10 ILCS 5/2A-1.2 from Ch. 46, par. 2A-1.2  
5 20 ILCS 2605/2605-5  
6 20 ILCS 2605/2605-53.5 new  
7 20 ILCS 2605/2605-54  
8 20 ILCS 2605/2605-85  
9 20 ILCS 2605/2605-90  
10 20 ILCS 2605/2605-96  
11 20 ILCS 2605/2605-97  
12 20 ILCS 2605/2605-98  
13 20 ILCS 2605/2605-375 was 20 ILCS 2605/55a in part  
14 20 ILCS 2610/8 from Ch. 121, par. 307.8  
15 20 ILCS 2610/40  
16 20 ILCS 2610/45  
17 50 ILCS 705/2 from Ch. 85, par. 502  
18 50 ILCS 705/6 from Ch. 85, par. 506  
19 50 ILCS 705/6.1  
20 50 ILCS 705/6.3 new  
21 50 ILCS 705/8.1 from Ch. 85, par. 508.1  
22 50 ILCS 705/8.2  
23 55 ILCS 5/3-6041 new  
24 65 ILCS 5/3.1-20-7 new  
25 65 ILCS 5/3.1-20-8 new

- 1 65 ILCS 5/3.1-20-9 new
- 2 65 ILCS 5/11-1-2.2 new
- 3 65 ILCS 5/11-1-15 new
- 4 30 ILCS 805/8.45 new